

MINUTES OF THE MEETING OF BOARD OF PUBLIC WORKS, SEPTEMBER 7, 1943

The Board of Public Works met on September 7, 1943, in the office of the Treasurer of Maryland, State Office Building, Annapolis, Maryland.

There were present: Herbert R. O'Connor, Governor  
J. Millard Tawes, Comptroller  
Hooper S. Miles, Treasurer

Mr. Walter N. Kirkman, Director of the Department of Budget and Procurement, also attended the meeting.

The Minutes of the Meeting of July 14, 1943, copy of which was sent to each member of the Board were approved.

GENERAL BOND ISSUE OF 1941:

The Board proceeded to open proposals for the purchase of \$451,000.00 General Bond Issue of 1941: issue of January 15, 1942-\$285,000.00 and issue of July 15, 1942-\$166,000.00, in accordance with advertisements appearing in the Baltimore Sun and the Baltimore-News Post of August 23rd, 27th, and 30th, and September 3rd, 1943, as follows:

STATE OF MARYLAND  
TREASURY DEPARTMENT

"GENERAL BOND ISSUE OF 1941"

Annapolis, Md.

Pursuant to Chapter 854 of the Acts of the General Assembly of Maryland, Session of 1941, as amended by the Acts of 1943, Chapter 668, Providing for the issue of the Certificates of Indebtedness herein mentioned and described, and pursuant also to a resolution of the Board of Public Works of Maryland passed on the 14th day of July, 1943, and on file and open to inspection in the office of the said Board in Annapolis, Maryland, the Treasurer of the State of Maryland will receive bids or proposals for Certificates of Indebtedness of the State of Maryland as follows:

\$451,000.00 GENERAL BOND ISSUE OF 1941.

Said Certificates of Indebtedness will be dated,

\$285,000.00 - January 15, 1942  
166,000.00 - July 15, 1942.

The Bidders are requested to indicate in their bids the rate of interest to be paid on the bonds, on which rate their bids are to be based and submitted. The rate named must be a multiple of one-fourth of one per centum, the interest to be payable semi-annually on the 15th day of July and January, and the 15th day of January and July, respectively, during the continuance of said loan, and all bids shall be based on an offering to pay not less than par for the bonds. The principal of said loan will be payable upon the Serial Annuity Plan, as more fully set forth in said Acts of 1941, Chapter 854, as amended by the Acts of 1943, Chapter 668, as follows:

GENERAL BOND ISSUE OF 1941

<u>Series</u>	<u>Amount</u>	<u>Redeemable</u>
"N"	\$55,000.00	January 15, 1945
"O"	56,000.00	January 15, 1946
"P"	57,000.00	January 15, 1947
"Q"	58,000.00	January 15, 1948
"R"	59,000.00	January 15, 1949
"KK"	54,000.00	July 15, 1955
"LL"	55,000.00	July 15, 1956
"MM"	57,000.00	July 15, 1957.

The said Certificates of Indebtedness will be of the denomination of \$1,000.00 each, subject to registration as to principal, and all will be issued with current interest coupons attached.

This loan and the interest payable thereon is exempt from the Federal Income Tax and from State, County and Municipal taxation in the State of Maryland.

The said bids or proposals must be delivered to the Treasurer of the State AT HIS OFFICE IN ANNAPOLIS, MD., before 12 o'clock, noon, on

SEPTEMBER 7, 1943.

Each bid must be for cash on delivery and must be inclosed in a sealed envelope addressed on the outside "Proposal for General Bond Issue of 1941". Each bid must be accompanied by a certified check upon some responsible banking institution, drawn to the order of the Treasurer of Maryland, for five percent of the par value of the amount bid for. All bids or proposals will be opened at 12 o'clock, noon, September 7, 1943, in the presence of the undersigned.

On the opening of said proposals as many of said Certificates of Indebtedness as have been bid for, not exceeding, however, the amount for which proposals are invited, may be awarded by the Governor, the Comptroller of the Treasury, and the Treasurer, or a majority of them to the highest responsible bidder or bidders therefor for cash, and if two or more responsible bidders have made the same bid and such bid is the highest and the Certificates so bid for by such highest responsible bidders are in excess of the whole amount of Certificates as offered for sale, then such Certificates of Indebtedness may be awarded in a ratable proportion, to such responsible bidders bidding the same price.

The undersigned may, in their discretion, accept one bid for all of said loan or separate bids for parts of said loan as may produce the largest amount, and they may, in their discretion, accept bids which may be for parts of said loan, but are not for all, and they reserve the right, in their discretion, to reject all bids or any bids.

The Certificates of Indebtedness awarded will be delivered to the successful bidder or bidders upon receipt of the amount of the successful bid or bids, and any accrued interest due, on September 22, 1943, AT THE OFFICE OF THE STATE TREASURER, ANNAPOLIS, MD.

Bidders are referred to the said Chapter 854 of the Acts of the General Assembly of 1941, as amended by the Acts of 1943, Chapter 668, as containing full terms and provisions of this loan.

It is one of the terms of this offering that the bonds when issued will be the legal and valid binding obligations of the State. The opinion of the Attorney General of Maryland, and the opinion of Bartlett, Poe and Claggett to this effect will be delivered to the successful bidder. Bidders may, if they wish, make the legality and validity of the bonds one of the terms of the bid by making the bid "Subject to legality" or using any equivalent form of expression, but without leaving this question to the decision of the bidders or their counsel. All bids conditioned upon the approval of bidders or counsel, whether named or unnamed, will be treated as conditional bids and rejected unless the condition is waived by the bidder to the satisfaction of the Board before the award has been made.

Herbert R. O'Connor, Governor  
J. Millard Tawes, Comptroller  
of the Treasury  
Hooper S. Miles, Treasurer.

The Bids received and opened were as follows:

private holders from bonds of the same type and character shall be taxable by the terms of any Federal income tax law; we may, at our election, be relieved of our obligations under the contract to purchase the bonds, and in such case the deposit accompanying our bid shall be returned to us.

Respectfully yours,

R. W. Pressprich & Company, New York  
Mercantile-Commerce Bank & Trust Company,  
St. Louis  
First National Bank of Baltimore  
By First National Bank of Baltimore

THE FIRST NATIONAL BANK OF CHICAGO  
Chicago, Illinois

September 4, 1943

Hon. Hooper S. Miles, Treasurer  
State of Maryland, Annapolis, Maryland

Dear Sir:

For not less than all of \$451,000.00 par amount Certificates of Indebtedness known as "General Bond Issue of 1941" of the State of Maryland, \$285,000.00 of said certificates to be dated January 15, 1942 and \$166,000.00 of said certificates to be dated July 15, 1942, to be in denominations of \$1,000 each, to bear interest at the rate of 1 per cent per annum, said interest to be payable semi-annually on the fifteenth day of January and July of each year, to mature without option of prior payment as follows:

Series	Amount	Redeemable
"N"	\$55,000.00	January 15, 1945
"O"	56,000.00	January 15, 1946
"P"	57,000.00	January 15, 1947
"Q"	58,000.00	January 15, 1948
"R"	59,000.00	January 15, 1949
"KK"	54,000.00	July 15, 1955
"LL"	55,000.00	July 15, 1956
"MM"	57,000.00	July 15, 1957

said Certificates of Indebtedness being the full faith and credit obligations of the State of Maryland, payable from taxes which may be levied against all of the taxable property situated therein without limitation as to rate or amount, and all in accordance with your published notice of sale dated August 23, 1943, and further subject to there being no litigation threatened or pending affecting the validity of said Certificates of Indebtedness, we will pay you par and accrued interest to date of delivery of the Certificates of Indebtedness plus a premium of one thousand eight hundred and fifty-one dollars (\$1,851) or a total principal amount of four hundred fifty-two thousand eight hundred and fifty-one dollars (\$452,851).

This bid is made subject to our being furnished upon delivery of the Certificates of Indebtedness with the final approving opinions of the Attorney General of Maryland and Messrs. Bartlett, Poe and Clagett, Attorneys of Baltimore, Maryland, establishing the legality of this issue.

As evidence of our good faith, we are enclosing, herewith, a certified check in the amount of \$22,550.00, the same to be returned to us immediately in the event we are not the successful bidder.

This bid is made for immediate acceptance only and for delivery of these Certificates of Indebtedness on Wednesday, September 22, 1943, but not later than Friday, October 1, 1943.

Very truly yours,

The First National Bank of Chicago

HALSEY, STUART & CO., INC.  
35 Wall Street, New York

September 7, 1943

Hon. Herbert R. O'Connor, Governor  
Hon. J. Millard Tawes, Comptroller of the Treasury  
Hon. Hooper S. Miles, Treasurer  
Annapolis, Maryland

Dear Sirs:

For Four Hundred and Fifty-One Thousand Dollars (\$451,000) STATE OF MARYLAND Certificates of Indebtedness, known as "General Bond Issue of 1941" offered for sale Tuesday, September 7, 1943 at 12 o'clock Noon, which Certificates represent valid and legally binding obligations of the State of Maryland for the payment of which the full faith, credit and taxing power of the State are pledged, to be issued in coupon form in the denomination of \$1,000 registerable as to principal only, \$285,000 Certificates to be dated January 15, 1942 with principal and semi-annual interest, January 15 and July 15, and \$166,000 Certificates to be dated July 15, 1942 with principal and semi-annual interest, January 15 and July 15, principal and interest payable in Baltimore, said Certificates to mature without option of prior payment as follows:

\$55,000 January 15, 1945	\$59,000 January 15, 1949
56,000 January 15, 1946	54,000 July 15, 1955
57,000 January 15, 1947	55,000 July 15, 1956
58,000 January 15, 1948	57,000 July 15, 1957

and in all other respects as set forth in the Official Notice of Sale dated August 23, 1943, we bid Par and accrued interest to date of delivery plus a premium of \$441.98 for Certificates bearing interest at the rate of 1 per centum per annum. (100.098)

It is understood that the Certificates will be delivered to us accompanied by the unqualified approving opinion of the Attorney General of the State of Maryland and the opinion of Messrs. Bartlett, Poe & Claggett, whose opinion will be furnished by the State.

We are enclosing herewith our good faith check in the amount of \$22,550 to be held by you pending the fulfillment of our contract if we are the successful bidder. If our bid is not successful, please return our check immediately.

Very truly yours,

Halsey, Stuart & Co., Inc.  
Adams, McEntee & Co., Inc.  
Starkweather & Co.

HARRIS TRUST AND SAVINGS BANK  
115 W. Monroe Street, Chicago

September 4, 1943

The Hon. Hooper S. Miles, Treasurer  
State of Maryland, Annapolis, Maryland

Dear Sir:

Referring to the \$451,000 "General Bond Issue of 1941" of the State of Maryland to be offered for sale on September 7, 1943, we hereby submit the following bid:

For \$451,000 (all or none) coupon bonds of the State of Maryland, \$285,000 dated January 15, 1942 and \$16,000 dated July 15, 1942, to constitute direct general obligations of said State of Maryland, denomination \$1,000, maturing, without option of prior payment, as follows:

\$55,000 January 15, 1945	\$59,000 January 15, 1949
56,000 January 15, 1946	54,000 July 15, 1955
57,000 January 15, 1947	55,000 July 15, 1956
58,000 January 15, 1948	57,000 July 15, 1957

bearing one per cent (1%) interest, payable semi-annually on the 15th day of January and July, we will pay the value thereof and accrued interest to date of delivery and a premium of Two Thousand Seventy-four and 15/100 Dollars (\$2,074.15).

This bid is made for prompt acceptance and for delivery of the bonds to us at Annapolis or Baltimore, Maryland, on or about September 22, 1943, you agreeing to furnish us prior to delivery opinion of the Attorney General of the State, and the opinion of Messrs. Bartlett, Poe & Claggett, approving the legality of said bonds and the sale thereof, together with certified papers examined by them showing that the full faith, credit and taxing power of the State of Maryland is pledged for the payment of principal and interest when due.

As evidence of good faith we attach hereto our certified check for \$22,550, with the understanding that if said bonds are awarded and delivered to us in accordance with this bid, said check may be applied as part payment; otherwise, same to be returned to us at 14 Wall Street, New York City.

Very truly yours,

Harris Trust and Savings Bank  
Chicago

LEE HIGGINSON CORPORATION  
40 Wall Street, New York

September 4, 1943

Honorable Hooper S. Miles, Treasurer  
State of Maryland, Annapolis, Md.

Dear Sir:

For all, but no part, of \$451,000 State of Maryland Certificates of Indebtedness, known as "General Bond Issue of 1941" (\$285,000 to be dated January 15, 1942, and \$166,000 (dated July 15, 1942), and to mature as more fully described in the official notice of sale, we will pay 100.768, bearing interest at the rate of 1%.

This bid is made with the understanding that if prior to the delivery of the bonds the income received by private holders from bonds of the same general type and character shall be taxable by the terms of any Federal Income Tax Law we may at our election be relieved of our obligation under the contract to purchase these bonds and in such case the deposit accompanying our bid will be returned. It is further understood that the opinion of the Attorney General of Maryland and the opinion of Messrs. Bartlett, Poe & Claggett will be delivered to us in the event that we are the successful bidder; and it is further understood that the check enclosed herewith will be returned to us in the event that we are not the successful bidder.

Very truly yours,

JS:gk

F. H. Schneder  
Vice President

MERCANTILE TRUST COMPANY OF BALTIMORE  
Baltimore, Maryland

September 7, 1943

Hon. Hooper S. Miles, Treasurer  
State of Maryland, Annapolis, Md.

Dear Sir:

For all no part of the following described legally issued, properly executed, direct general obligations of the State of Maryland, namely \$451,000. Certificates of Indebtedness, known as "General Bond Issue of 1941"

\$285,000. to be dated January 15, 1942  
Maturing January 15, 1945 to January 15, 1949  
inclusive.

\$166,000. to be dated July 15, 1942,

Maturing July 15, 1955 to July 15, 1957,  
inclusive.

without option of prior payment, to be in coupon form in the denominations of \$1,000. registerable as to principal only, and as further described in official notice of sale signed by Herbert R. O'Connor, Governor; J. Millard Tawes, Comptroller of the Treasury and Hooper S. Miles, Treasurer, we bid the sum of \$100.32541 and accrued interest for each \$100. Certificate to date of delivery thereof for bonds bearing 1% interest.

It is understood that we shall be furnished, without expense to us, at time of or prior to the delivery of these certificates, satisfactory legal opinion of the Attorney-General of the State of Maryland and the opinion of Bartlett, Poe and Claggett, Attorneys of Baltimore, Maryland, approving the validity of the certificates, together with certified papers examined by them.

As evidence of our good faith in bidding, we enclose certified check in the amount of \$22,550.00 payable to the order of the Treasurer of Maryland. If this proposal is accepted, this check is to be retained as part payment for the above \$451,000. Certificates, otherwise, it is to be returned immediately to us.

This bid is made for immediate acceptance.

Yours very truly,

Mercantile Trust Company of Baltimore  
Kidder, Peabody & Co., New York  
Baker, Watts & Co., Baltimore  
Stein Bros. & Boyce, Baltimore  
By: Mercantile Trust Company  
of Baltimore

SALOMON BROS. & HUTZLER  
60 Wall Street, New York

September 4, 1943

Mr. Hooper S. Miles, Treasurer  
State of Maryland, Annapolis, Maryland

Dear Sir:

In accordance with your official notice of sale published in the Daily Bond Buyer, we will pay four hundred fifty one thousand seven hundred eighteen (\$451,718.) dollars for all but no part of \$451,000. State of Maryland, General Bond Issue of 1941, bearing interest at the rate of 1% per annum and maturing as follows:

\$55,000.	-	1/15/45
56,000.	-	1/15/46
57,000.	-	1/15/47
58,000.	-	1/15/48
59,000.	-	1/15/49
54,000.	-	7/15/55
55,000.	-	7/15/56
57,000.	-	7/15/57

We enclose herewith our check for \$22,550. representing 5% of the amount of bonds as required in your notice of sale.

If we are the successful bidders, kindly notify us and we shall prepare to take up the bonds at the office of the State Treasurer on September 22, 1943.

Very truly yours,

Salomon Bros. & Hutzler  
L. F. Rothschild & Company

MDF:MF

UNION SECURITIES CORPORATION  
65 Broadway, New York

September 7, 1943

Hooper S. Miles, Treasurer  
State of Maryland, Annapolis, Maryland

Dear Sir:

Subject to the provisions of the annexed notice of sale, which notice of sale is hereby made a part of this proposal, we offer to purchase \$451,000 principal amount of State of Maryland "General Bond Issue of 1941" bonds, described in said annexed notice of sale, bearing interest at the rate of 1.00 per centum per annum, and to pay therefor Four hundred fifty three thousand one hundred forty-two 25/100 dollars (\$453,142.25) and accrued interest from the date of said bonds, January 15, 1942 and July 15, 1942 respectively to date of delivery.

We enclose herewith certified check for \$22,550.00, being five per centum of the par value of all of said bonds, payable to the order of Treasurer of Maryland, which check is to be returned to us if this proposal is not accepted; otherwise, said check is to be applied by you upon the purchase price of the said bonds, or in the event that we fail to take up and pay for the bonds in accordance with the terms of our proposal made herein, then the said check is to be retained by you as and for liquidated damages.

Yours very truly,

Union Securities Corporation  
By J. H. King, V.P.  
also  
Hornblower & Weeks

After due consideration of the foregoing bids, and upon motion of Mr. Tawes, seconded by Mr. Miles, the Board unanimously accepted the bid of Clark, Dodge & Company.

CHEL TENHAM SCHOOL FOR BOYS:

The Secretary reported that he had attended a meeting in the office of the Attorney General during the past month relative to the status of contracts awarded to the Charles J. Spielman Company, Inc. in connection with the sewage and water system at Cheltenham School for Boys. The contractor had notified the School that it would not be possible to proceed with the work unless the State would make an allowance for additional cost for labor occurring on the job which had not been contemplated at the time of making of the contract. The meeting was attended by Mr. Vance E. Thomas, Superintendent of the School; Mr. Charles J. Spielman, contractor; Mr. Lawrence B. Ferneman, attorney for the contractor; an engineer in the employ of the contractor; a representative of the American Bonding Company, surety for the contractor; Mr. Hall Hammond, Deputy Attorney General; and Mr. J. Edgar Harvey, Assistant Attorney General.

The result of the meeting was that the contractor was advised that the State had no evidence to show that there would be additional costs to the contractor because of any delay resulting from the obtaining of priorities, etc., since the contractor had not started any work in connection with his contract and was unable to show his inability to complete his contract as required. Mr. Hammond stated that there was no authority to commit the State for any further compensation in connection with the contract.

The Secretary reported having telephoned Mr. Thomas on the morning of the date of the meeting of the Board of Public Works and obtained information to the effect that the contractor was at work and that things were progressing satisfactorily.

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The Secretary also reported that Mr. Thomas advised him that progress was being made in connection with the work of providing housing facilities for employees of the school in accordance with authority previously given by the Board.

CONVENTIONS:

The Comptroller brought to the attention of the Board the request from the North American Gasoline Tax Conference that the State of Maryland be represented at the annual meeting of the Conference to be held in Milwaukee, Wisconsin, from September 23rd to 25th, 1943, because of matters of vital importance to the various states in connection with gasoline taxes which will be discussed at the convention.

It was agreed that the Comptroller's Office should be represented by Mr. John P. Mannion, who is in charge of the Gasoline Tax Division, and that the expense of attending the convention would be a proper charge to the budget account of the State Comptroller's Office.

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The Secretary brought to the attention of the Board a communication received from Dr. L. M. Kantner, Secretary of the Maryland Board of Pharmacy, requesting authority to attend a meeting of the National Association of Boards of Pharmacy, the Conference of Pharmaceutical Law Enforcement Officials, and the American Association of Colleges of Pharmacy to be held at Columbus, Ohio, September 9 and 10, 1943.

The Board was not willing to reconsider the decision made at a previous meeting that it was not considered necessary that the State be represented at the convention.

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The Secretary brought to the attention of the Board a communication received from Mr. W. Lee Elgin, Commissioner of Motor Vehicles, requesting permission to attend the annual meeting of the American Association of Motor Vehicle Administrators, to be held in St. Louis, Missouri, from October 20 to 22, 1943. Mr. Elgin stated that he feels it is especially important to attend this meeting as he is president of the Eastern Conference of Motor Vehicle Administrators, and the President of each Regional Conference is expected to be present.

After considering the matter, it was felt desirable that the State be represented at this conference by Mr. Elgin and authorized his attendance with the expense to be paid out of the appropriation to the Department of Motor Vehicles.

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The Secretary brought to the attention of the Board a communication from Mr. J. R. Spellissy, Superintendent of the State Accident Fund, requesting authority for representation of the State Accident Fund at a Conference of State Funds to be held in Harrisburg, Pennsylvania, on October 25 to 27, 1943, to undertake intensive study and discussion of several very important problems concerning the business of the State Funds in the United States.

It was agreed that it would be desirable that the State Accident Fund be represented at this Conference, but it was felt that this representation should be limited to one representative of the Fund, and this was approved, the expense of attending the Conference to be payable out of the appropriation to the State Accident Fund.

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A telephone call from Dr. R. H. Riley, Director of the State Department of Health, to the Secretary during the meeting consisted of a request for authority for Dr. Riley to attend the American Public Health Association in October 1943. Dr. Riley states that he thought it was important for the State to be represented at this convention, particularly because of

the fact that the State was not represented at the convention which was held in St. Louis last year, and because of the fact that the expense involved in traveling to New York this year would be reasonable.

The Request of Dr. Riley was approved.

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The Board approved the request of Mr. Charles E. Moylan, Chairman of the State Industrial Accident Commission, to attend a meeting of the International Association of Industrial Accident Boards and Commissions at Harrisburg, Pennsylvania, on October 25 to 27, 1943.

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The Board approved the request of Mr. Glen D. Brown, Acting Director of Vocational Education, to attend a special conference called by the Commanding Officer, Headquarters Fifth Naval District, Richmond, Virginia, held on August 23rd and 24th, 1943.

COMPTROLLER OF THE TREASURY:

After due consideration, the Board approved the payment of the following items of refunds for franchise taxes paid in error to the State through the State Tax Commission, payable through the budget of the Commission, Item 208-C.

Potomac River Line, Inc.	\$20.27	
Sheets Properties, Inc.	20.36	
The Torsch Canning Co.	20.06	
United Food Stores, Inc.	76.36	
Colored Democratic Club of the 5th Ward of the Congressional District	10.06	
Ring Construction Corp.	5.02	
Baltimore Athletic Club of Baltimore, Inc.	10.12	
Safeway Trails, Inc.	40.91	
1206 North Calvert Street Corp.	<u>10.08</u>	\$213.24

The Comptroller requested approval to the payment of the following refunds from Miscellaneous Appropriation #2, Item 18, which were ordered by the State Tax Commission:

Licenses:

Mrs. Julia Germershausen	\$16.26	
Nickolay Kazimiruk	17.73	
Nevins M. Levitt and Jerome Stiffman	<u>57.99</u>	\$91.98
Premium Taxes:		
Marine Insurance Co., Ltd.		3,076.10
Property Tax:		
The Atlantic Refining Co.		19.80
Recordation Tax:		
Potomac Electric Power Co.		1,590.00
Title Tax:		
Ivor Ronald Trescott	5.77	
Murray Mintzer	<u>4.03</u>	9.80
Articles of Dissolution: (copy)		
Henry L. Frank & Co.		2.00
Amendment to Charter: (copy)		
Walsh and Levine, Esqs.		<u>1.00</u>
		\$5,003.92

Board

The approved payment of these refunds, as requested.

CONSOLIDATED GAS, ELECTRIC LIGHT & POWER COMPANY:

The Secretary brought to the attention of the Board a communication from the Consolidated Gas, Electric Light and Power Company of Baltimore, to

which was attached a revised contract in pursuance of the company's "N" Schedule rates, the company suggesting that the State accept this revised contract in lieu of the contract which the State has at the present time for electric service, it being represented by the company that, based on present conditions, it is estimated that a saving of approximately \$102.00 per year will result from the substitution of the new contract for the old one.

The Board felt it was desirable to do anything which would result in a saving to the State, but were of the opinion that the matter should be referred to the Public Service Commission for confirmation of the representations made by the company, and instructed the Secretary to communicate with the Public Service Commission accordingly.

#### COURT COSTS:

The Board approved payment of the following bills from Item #207 of the budget of the Board of Public Works, upon recommendation of the office of the Attorney General and the State Tax Commission.

Baltimore City Court (Eli and Lillie W. Strouse vs. Comptroller & State Tax Commission)	\$20.55
Potomac Electric Power Co. (Court of Appeals)	39.50
State Law Department-Revolving Fund )	95.20
Clerk of Circuit Court-Carroll County ) :	19.15
Sheriff of Carroll County ) (Rambo Estate)	55.50
Mason P. Morfit (The Pullman Co. vs. State Tax Commission)	28.40
	<u>\$258.30</u>

#### DEPARTMENT OF BUDGET AND PROCUREMENT:

Mr. Kirkman called attention to the fact that considerable letterheads in state departments become obsolete because of changes in the personnel, where the names of the members of the Boards and Commissions are shown on the stationery, and suggested that some saving might be effected if some policy were adopted by the State to eliminate the showing on the letterheads of the names of the members of these Boards and Commissions.

No action was taken by the Board in this matter.

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Mr. Kirkman reported that the typewriter which was lost at the last session of the General Assembly had been recovered and returned to the Remington-Rand Company, from which it was rented for use during the Session.

#### DEPARTMENT OF CORRECTION:

The Secretary brought to the attention of the Board a communication from the Department of Correction in which it was recommended that the operation of the cannery at the Maryland State Penal Farm be classed as a state-use industry similar to the operation of the cannery at the Maryland House of Correction, and requesting that to operate and finance the work there be established a Revolving Fund of \$10,000 to be transferred from the Special Fund Account of the Penal Farm, which as of August 31, 1943, had a balance of \$39,906.65, the new account to be known as Revolving Fund-Maryland State Penal Farm.

After consideration of the request and recommendation of it by Mr. Kirkman, the Board approved the classification of the operation of the cannery at the Maryland State Penal Farm as a state-use industry and the creation of the revolving fund mentioned.

DEPARTMENT OF GEOLOGY, MINES AND WATER RESOURCES:

The Secretary brought to the attention of the Board a communication from Dr. J. J. Rutledge, Chief Mine Engineer, Department of Geology, Mines and Water Resources-Bureau of Mines, calling attention to the fact that he is without funds to take care of the work required of his department under the provisions of Chapter 349, Public Laws of 1937, in the matter of testing all scales in the State of Maryland other than the City of Baltimore, on which solid fuel is weighed and also the issuance of weigh-master licenses. This work has been taken care of, until recently, by some special funds which were under the control of the office of the Chief Mine Engineer. Since these funds have been exhausted, there is no other money at the disposal of the Bureau of Mines to take care of the cost of the work.

The Board approved the request of Dr. Rutledge that the sum of \$1,000. be allotted from the General Emergency Fund to the Bureau of Mines to take care of these expenses.

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Mr. Kirkman brought to the attention of the Board the matter of the study of underground water resources to be made and the providing of funds to take care of the cost of the work.

It was suggested that since Baltimore City was particularly interested and would receive the benefit of whatever work was done, that part of the cost of the work should be borne by the City, and Mr. Kirkman was requested to confer with Mr. Able Wolman, who is also advisor to Baltimore City, to see if arrangements could be made for the City to assume one-half of the expense of this work.

DEPARTMENT OF TIDEWATER FISHERIES:

The Secretary brought to the attention of the Board a communication received from Mr. Edwin Warfield, Jr., Chairman of the Department of Tidewater Fisheries, calling attention to the fact that it would be advisable for the State to sell the State Steamer "Governor Robert McLane" at this time and setting forth the various reasons for this. With his letter, Mr. Warfield submitted a letter from Spedden Shipbuilding Company, Inc., in which it was advised that in their opinion the State Steamer Robert M. McLane, at this time, to anyone who would have need for such a vessel, should be worth approximately \$85,000., but that after the present situation has eased up, the McLane would not be worth anything like this figure.

After duly considering the matter, it was agreed to authorize the sale of the steamer, provided \$85,000, or better, could be obtained from the sale of it.

GENERAL EMERGENCY FUND:

See: these Minutes, Department of Geology, Mines & Water Resources  
Morgan State College  
St. Mary's Female Seminary.

HALL OF RECORDS:

The Secretary brought to the attention of the Board a communication from Dr. Morris L. Radoff, Archivist at the Hall of Records, relative to the photocopying of county records. This work is being done for some of the counties where it is possible to take care of the cost of the work because of the fact that in such counties the State offices have excess fees out of which the cost can be paid. In the case of other counties where the work is desirable, the fees of the office are not sufficient to take care of the cost of the work and therefore has to go undone. Dr. Radoff suggested a Central Fund for the photocopying work of county records so that in cases where the funds were not available in the accounts of the State offices in the counties, the cost of the work may be paid out of other funds provided by the State.

The Board felt that Dr. Radoff should submit further information covering the amount of work to be done and the probable cost of it so that the matter could be given further consideration at a later meeting of the Board.

LEASES:

The Board approved lease between Camp Mil-Bur, Inc., and Extension Service of the University of Maryland, covering property known as Camp Mil-Bur at the head of Cornfield Creek, Anne Arundel County, Maryland, the term of the lease being from June 15, 1943 to September 15, 1943, at and for the sum of \$500.00 payable in advance. The purpose of the lease for the property was to house and otherwise take care of persons who would be engaged as agricultural workers during the summer season.

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The Board approved a lease for the rental of clinic space for the State Health Department, in Pocomoke City, the rental to be paid by the City of Pocomoke and the Commissioners of Worcester County.

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The Board approved the execution of renewal leases in the following instances:

Board of Mental Hygiene - Safe Deposit and Trust Company, Rooms 512 to 515, inclusive, Professional Building, for a term of one (1) year from October 1, 1943, at an annual rental of \$1,131.25.

State Bank Commissioner - Union Trust Company, Rooms 301 - 311, inclusive, Union Trust Building, for a term of two (2) years from October 1, 1943, at an annual rental of \$6,500.

State Employment Commissioner - Wm. Martien & Co., Inc., Rooms 20-24, inclusive, 22 Light Street, for a term of two (2) years from October 1, 1943, at an annual rental of \$4,600.

State Health Department - G. and F. Realty Co., 2411 N. Charles Street, for a term of four (4) years from September 1, 1943, at an annual rental of \$14,500.

- Josephine M. Cromwell, Henry W. Cromwell, Mary H. P. Lazzeell & Chas. B. Lazzell, Anthony J. Piranio & Mary Pirano, garage in rear at N.W. corner of Howard & 26th Streets, Baltimore, for a term of four (4) years from September 1, 1943, at an annual rental of \$3,900.

- Costas Lazaris, 2517 St. Paul Street, for a term of four (4) years from September 1, 1943, at an annual rental of \$1,200.

Unemployment Compensation Board - O'Sullivan Building, Inc., 12,940 square feet on 7th Floor; 2,443 square feet on 9th Floor; and 3,334 square feet on 12th Floor, for a term of one (1) year from September 1, 1943, at an annual rental of \$38,614.00

MARYLAND LINE CONFEDERATE SOLDIERS HOMES:

The Secretary brought to the attention of the Board a communication from Mr. Charles H. Buck advising that clients of his are interested in the purchase from the State of the entire property of the Maryland Line Confederate Soldiers Home, at Pikesville, Maryland.

The Secretary was requested to communicate with Mr. Buck and ask him for a definite offer from his clients for the property.

MARYLAND TRAINING SCHOOL FOR BOYS:

The Secretary brought to the attention of the Board a request made through Mr. Kirkman for approval to the awarding of a contract by the Maryland Training School for Boys for painting the water tank and the supporting structures.

Upon the recommendation of Mr. Kirkman, the Board approved such a contract.

MARYLAND TUBERCULOSIS SANATORIUM:

The Secretary brought to the attention of the Board a communication from Dr. V. F. Cullen, Superintendent of Maryland Tuberculosis Sanatorium, together with a report of the State Auditor covering the examination made of the accounts and records of the Sanatorium for the period October 1, 1937, to September 30, 1942. The State Auditor called attention to the fact that the books of the Sanatorium show that there are accounts receivable to the extent of \$3,870.33, covering charges for board over a period of years against patients who have discontinued payments, are unable to continue payments, or have been discharged. The report recommends that this amount be written off as uncollectible.

The Board was agreeable to the recommendation made by the State Auditor, and authorized the Comptroller to write off the account as uncollectible.

MARYLAND STATE GUARD:

Mr. Kirkman submitted to the Board for its consideration a budget for the Maryland State Guard for the fiscal year 1944 totaling \$243,900.00. The Board reviewed the various items entering into the cost of maintaining the Guard and made certain eliminations and reductions to the extent that the total budget for the year was reduced to \$147,800.00. An itemized list of the budget is to be prepared by Mr. Kirkman on the basis of the revisions made and supplied to Brig. General Francis Petrott, The Adjutant General, and to the State Comptroller.

MILITARY DEPARTMENT:

Upon the recommendation of Mr. Kirkman, the Board approved the expenditure of \$22,500.00 for the necessary repairs to the various State Armories, Mr. Kirkman having made a survey of the work to be done.

MISCELLANEOUS INFORMATION:

Upon recommendation of Mr. Kirkman, the Board approved the request of Mr. J. Nelson Molter, of the State Library, for the release of two sets of the Annotated Code, 1939 Edition, for exchange with the States of Minnesota and Wyoming.

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The Secretary brought to the attention of the Board a communication from Mr. Clarence E. Martin, attorney, of Martinsburg, West Virginia, relative to a Certificate of Stock of the State of Maryland, alleged to have been issued in 1777 to Nicholas McCubbins, Esq., Mr. Martin having previously written the State and requested payment of the face value of the certificate for \$666 2/3, with interest at the rate of 6% per annum to date.

After some consideration of the matter the Secretary was requested to communicate with the Attorney General and obtain his views as to what the State should do in connection with this request.

MORGAN STATE COLLEGE:

The Secretary brought to the attention of the Board a file received from Dr. D. O. W. Holmes, President of Morgan State College, relative to the housing facilities for the students of the college, in which attention is called to the apparent failure of the Maryland State Planning Commission and the Department of Budget and Procurement to give proper consideration to the needs of the college in the report which was released December 1940.

The Governor stated that he had received a letter from Dr. Holmes on the subject and that he felt the needs of the college would receive due consideration in any program that would be approved in connection with the post-war work.

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Upon recommendation of Mr. Kirkman the Board approved the transfer from the General Emergency Fund to Morgan State College of the sum of \$1250.00 to take care of the salary necessary for the position of Director of Residence Halls, recently created.

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Mr. Kirkman reported that he had received a list of the scholarships awarded by Morgan State College and that these scholarships seem to be in proper shape, being along the lines of former awards.

The Board approved the list submitted.

POST-WAR PLANNING COMMISSION: (Maryland Commission on Post War Reconstruction and Development.)

Mr. Kirkman submitted to the Board for its consideration, the proposed budget for the Post-War Planning Commission for the fiscal years 1944 and 1945, in the amounts of \$11,750.00 and \$11,250.00, respectively, to be transferred from the Post-War Construction Fund.

The Board approved the budgets and requested that itemized copies be furnished the Commission, and the State Comptroller.

ST. MARY'S FEMALE SEMINARY:

The Secretary brought to the attention of the Board two (2) letters received from Miss M. Adele France, President of St. Mary's Female Seminary, advising of the difficulties she has encountered in obtaining members of the faculty of St. Mary's Female Seminary, but advising that she has been successful in completing the faculty with the exception of a dean, whom she expects to be able to select at an early date, and that the additional cost for salaries for the new school year will be \$2,000, of which \$1,000 was previously allotted to the Seminary out of the General Emergency Fund.

The Board approved the allotment of an additional \$1,000 at this time from the General Emergency Fund to provide the Seminary with the \$2,000 additional needed for the salaries of the teachers.

STATE ACCIDENT FUND:

Mr. Miles reported that he had completed the sale of all tax exempt securities with the exception of the securities of the City of Salisbury owned by the State Accident Fund, the money received from the sale of these bonds to be reinvested in accordance with explanation made by Mr. Miles at a previous meeting of the Board, at which he was authorized to arrange for disposal of these tax exempt securities at a profit and to reinvest the proceeds in other securities.

STATE EMPLOYEES:

The Secretary brought to the attention of the Board a communication from Dr. George H. Preston, Commissioner of Mental Hygiene, dated August 12, 1943, relative to the policy adopted by the Board at the beginning of the fiscal year relative to the payment to employees for services rendered the State where the employees work during the time they would ordinarily be taking vacations, because of the pressing need for the services of the employees in the several State Institutions.

The Secretary was authorized to write Dr. Preston and advise him that the Board did not feel it had made a hard and fast rule in the matter, and that it would be permissible to pay employees whose services could not be dispensed with for the purpose of vacations, and that Dr. Preston could count upon being able to reimburse attendants, people engaged in connection with the operation of mechanical equipment, etc., where it was found necessary to ask these persons to forego taking their vacations because of the inability of the institutions to properly man the operations of the institutions in the absence of such persons on vacations. It was stated that the rule that State employees should not be compensated in cases where they were requested to forego taking their vacations until a later date, or to allow the vacations to accumulate to their credit to be taken at some convenient later date, was to apply particularly to the so-called white-collar positions.

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The Secretary brought to the attention of the Board a file of correspondence relative to the illness of John W. Shaw, an employee of the State Roads Commission as Senior Account Clerk. The file shows that Mr. Shaw has been employed by the Commission since 1917 and that he is seriously ill, and has exceeded the time allowed for vacation and sick leave. A letter from the Commission recommends an extension of leave for Mr. Shaw for three months.

The request for this extension of sick leave was approved.

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The Secretary brought to the attention of the Board a file of correspondence in connection with Glenn W. Smith, employe of the State Roads Commission as Shop Clerk, Grade I, at La Plata, Maryland. The file shows that Mr. Smith has been an employe of the Commission since 1933 and because of illness has exceeded the time available to him as vacation and sick leave. It was requested that additional sick leave to the extent of three (3) months be granted to Mr. Smith.

The Board approved this request for an extension of sick leave.

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The Secretary brought to the attention of the Board a communication received from Mr. Edwin Warfield, Jr., Chairman of the Department of Tidewater Fisheries, calling attention to the fact that Mr. C. Ernest Ebberts, an employe of that department for a number of years, is no longer physically capable of carrying out his duties and has applied to the State Employees Retirement System for retirement because of physical disability. The application has been approved and became effective as of August 1, 1943.

The vacation and sick leave to which Mr. Ebberts was entitled was exhausted July 7th, 1943, and Mr. Warfield requested that Mr. Ebberts be compensated at his regular salary for the period July 8th to October 1st, 1943.

After due consideration of the matter, the Board felt that it was not willing to grant an extension of sick leave to any employee whose physical condition was not such that the State could look forward to a resumption of duties at a later date; and, further, because of the fact that Mr. Ebberts' application for retirement had been approved the Board was not willing that the authority granted to the Board to extend sick leave be used in this case.

STATE PROPERTY:

The Secretary brought to the attention of the Board a letter from Mr. Wm. A. Codd, Chief Auditor of the State Roads Commission, asking if it was the desire of the Board that the passenger car owned by the State Roads Commission and assigned to Col. Barrett for use in connection with Civilian Defense work, be transferred to the Maryland Council of Defense, the agency with which Col. Barrett is connected in his work. The inquiry was made because of the fact that the Board had, at a previous meeting, had authorized the transfer of the automobile used by Lt. Col. Sutherland from the State Roads Commission to the Military Department.

The Board decided that the automobile being used by Col. Barrett in connection with the defense work should be transferred by the State Roads Commission to the Maryland Council of Defense.

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The Secretary brought to the attention of the Board a communication from Mr. Kirkman advising that the furniture and supplies heretofore used by the State Department of Public Welfare in connection with the operation of its Commodity Warehouse in Baltimore City, have been disposed of to state agencies and commercial concerns, and that the sum of \$1,680.89 has been received for them. The money received has already been turned into the State Treasury, and it was merely Mr. Kirkman's purpose to advise the Board of the disposition of the property and receipt of the payments for it.

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Upon recommendation of Mr. Kirkman, the Board approved the transfer of fittings from the Maryland State Penal Farm to the Maryland Tuberculosis Sanatorium, in accordance with communication from the Penal Farm dated August 6, 1943.

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Upon recommendation of Mr. Kirkman, the Board approved the disposition of property covered in condemnation reports of the State Roads Commission as follows:

#3683	#3686	#3527	#3530	#3163.
#3161	#3162	#3528	#3531	
#3685	#3526	#3529	#3235	

STATE RECORDS:

The Secretary brought to the attention of the Board some correspondence in connection with a request received from Mr. Clayton K. Watkins, Clerk of Circuit Court for Montgomery County, that he be authorized to dispose of an accumulation of papers, etc., in his office which it was not felt were necessary to be retained any longer.

The request had been referred to Dr. Morris L. Radoff, Archivist at the Hall of Records, for his consideration. A letter from Dr. Radoff advised that he did not believe that any of these records are worth preserving in the Hall of Records since they do not have any historical value and that Mr. Watkins should request permission of the Board of Public Works to destroy the same.

The recommendation of the Archivist was approved and Mr. Watkins was authorized to destroy the records.

STATE ROADS COMMISSION:

The Secretary brought to the attention of the Board a communication from Mr. Wm. A. Codd, Chief Auditor of the State Roads Commission, in which attention was called to the provisions of Chapter 765 of the Acts of 1943 and a request was made for advice as to the application of this law to the Tolchester Ferry Company's appropriation in the amount of \$25,000.00 included in the budget of the State Roads Commission for each of the fiscal years 1944 and 1945.

The Board referred the matter to the Comptroller since Chapter 765 of the Acts of 1943 relates to a duty of the Comptroller in the matter of the payment of appropriations.

TOWN OF GREENBELT:

The Secretary brought to the attention of the Board a communication from the National Housing Agency, Federal Public Housing Authority, with an agreement between the United States of America and the State of Maryland for the payment by the United States of America of a sum of money in lieu of State taxes for the year 1943 on the project located at Greenbelt, Maryland, the amount covered by the agreement being \$4,152.69.

The Board approved the execution of the agreement by the Comptroller on behalf of the State and the furnishing of a certified copy of a resolution covering the execution of the agreement, to the Federal Public Housing Authority.

The form of resolution submitted by the United States of America for adoption was approved, and follows.

RESOLUTION

WHEREAS, the United States of America has acquired and is acquiring real property for and is operating (a) rural rehabilitation project(s) for resettlement purposes, (as defined in 49 Stat. 2035, hereinafter called the "Act"), located within the jurisdictional limits of the local public taxing unit, hereinafter set forth; and

WHEREAS, the aforesaid project and the persons now and hereafter residing on or occupying such premises will be supplied with public or municipal services by the local public taxing unit hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the State of Maryland, that this resolution shall constitute the Request to the United States of America by and on behalf of said local public taxing unit, (pursuant to the provisions of Section 2 of the Act), to enter into an agreement for the payment by the United States of sums in lieu of taxes; and

BE IT FURTHER RESOLVED, that this body does hereby authorize its Comptroller of the Treasury to execute, for and on behalf of said local public taxing unit, said agreement with the United States of America.

TRAFFIC COURT OF BALTIMORE CITY:

The Secretary brought to the attention of the Board a report received by the State Comptroller from the State Auditor in connection with his examination of the accounts and records of the Traffic Court of Baltimore City for the years 1938, 1939, 1940, 1941, and 1942, ended September 30th. One of the items covered in the report relates to an overpayment to Theodore Berman, former Chief Clerk of the Traffic Court, in connection with salary payable to him, the overpayment, amounting to \$316.71, having been discovered through an opinion given by the Attorney General's office to the Baltimore Police Commissioner, in which attention was called to the fact that the salary provided in the State Budget for the Chief Clerk of the Traffic Court was in excess of the amount authorized in the law creating the positions in the Traffic Court.

After due consideration, it was decided to regard these overpayments as uncollectible since they were disbursed to Mr. Berman in error as a result of a misunderstanding as to the law relating to salaries for employees of the Traffic Court, until the matter was straightened out through an opinion of the Attorney General given to the Police Commissioner.

UNEMPLOYMENT COMPENSATION BOARD:

The Secretary brought to the attention of the Board a communication from Mr. W. Lee Elgin advising that there is charged to him in the accounts of the Unemployment Compensation Board an item of approximately \$188.00 for unpaid unemployment compensation contributions in connection with work done by the Potomac Heating Company of Hagerstown, Maryland, which was owned by Mr. Elgin and which has been out of business since December 1940, and requesting that the Board authorize the Unemployment Compensation Board to cancel the charge against him.

The Board felt that it could not accede to Mr. Elgin's request since it was not shown that the account was impossible of collection; and, further, that no recommendation had been received from the Unemployment Compensation Board in connection with this account.

UNITED STATES GOVERNMENT:

Navy Department

The Secretary brought to the attention of the Board a communication from the Navy Department of the United States requesting that there be made available to that department as a loan a Model C Film Reader installed in the office of Mr. John H. Hopkins, 3rd, Clerk of the Court for Anne Arundel County, Maryland.

The Board was of the opinion that there is use for the Film Reader in the office of the Clerk of Court for Anne Arundel County from time to time and that the loan of it to the Navy Department could not be made without considerable inconvenience to the Clerk's Office.

WAR EMERGENCY FUND:

See: Maryland State Guard, these Minutes, relative to budget.

UNIVERSITY OF MARYLAND:

The Secretary brought to the attention of the Board a communication from Dr. H. C. Byrd, President of the University of Maryland, dated July 19th, advising the Board of receipt of two bids received for the terraza floors for the lobby, the tile and marble work on the women's lounge and lavatory, and on the Terraza treads for the stairway, for the Armory, and requesting authority to award a contract to Standard Art Marble and Tile Company, low bidder, in the amount of \$2,665.00.

The Board approved this request.

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Dr. Byrd, in his letter of July 19th, also advised of two bids for the steel stairways, running from the basement to the third floor, and for the pipe railing on each set of stairs, and for the wrought iron rail on the outside of the Armory, and requested approval to the awarding of the contract for this work to Acme Iron Works, Washington, D. C., the low bidder, in the amount of \$2,054.00.

The Board approved the request of Dr. Byrd.

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The Secretary brought to the attention of the Board a communication from Dr. H. C. Byrd, President of the University of Maryland, requesting authority to award a contract to J. B. Kendall Co., Washington, in the amount of \$1,605.00, covering work (hardware) on the armory, this company being the low bid of the only two received.

The Board was agreeable to the awarding of a contract as requested.

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The Secretary brought to the attention of the Board a communication dated August 5, 1943, received from Dr. Byrd relative to the trash collection situation in Baltimore City, and setting forth the necessity for the University Hospital to have more adequate disposal arrangements for the various waste materials, including parts of human bodies. Dr. Byrd stated that the Board of Regents had passed a resolution authorizing the construction of a new incinerator at the hospital, at an approximate cost of \$8,200.00, and advised that bids had been secured for such work. It was found that the cost of the type of incinerator desired was \$5,042.00 and the low bid for the construction work was \$3,390.00, making a total bid cost of \$8,432.00.

Dr. Byrd requested authority to award contracts for this new incinerator as follows:

Morris Boulger Destructor Co.	\$5,042.00
Leinbach and Williams, Inc.	3,390.00,

as funds for this work are available in the General Hospital receipts.

The Board approved the construction of the new incinerator and the awarding of the contracts as mentioned.

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Mr. Kirkman brought to the attention of the Board the new cooperative agreement entered into July 20th, 1943, between the University of Maryland and the Capitol Radio Engineering Institute of Washington, D.C., whereby the University uses the facilities of the Institute, in Washington, D. C., to give courses in Engineering, Principles of Radio, and Principles of Electronics, with the instruction offered to be under the general direction of the Dean of the College of Engineering at the University of Maryland. Mr. Kirkman advised that the cost of the courses would amount to \$5,502.00, and that the course would run for ten weeks.

The Board approved the execution of this agreement.

#### MARYLAND MINUTE MEN:

Mr. Kirkman submitted to the Board for its consideration a budget for the Maryland Minute Men for the fiscal year 1944 totaling \$90,000.00. The Board reviewed the various items entering into the cost of maintaining the Minute Men, and made certain eliminations and reductions to the extent that the total budget for the year was reduced to \$50,000.00. An itemized list of the budget is to be prepared by Mr. Kirkman on the basis of the revisions made and supplied to the Military Department and to the Comptroller of the Treasury.

#### STATE EMPLOYEES:

##### Extended Sick Leave

Mr. Kirkman requested the advice of the Board in connection with the amount to be paid an employee on extended sick leave under the provisions of Chapter 987 of the Acts of 1943, when the employee's leave overlaps the beginning of a new fiscal year.

It was the decision of the Board that the salary to be received by such an employee would be that effective at the beginning of the extended sick leave which would be continued until the return of the employee to active duty, at which time he would receive the benefit in the future of any accrual occurring during the time he was absent on extended sick leave.

There being no further business, the meeting was adjourned.

*Joseph O'Connell*  
Secretary